IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER (ST) NO.26644 OF 2005

WITH

CIVIL APPLICATION NO.1302 OF 2005

Gulabchand Balkaran Vishwakarma ..Appellant.

Vs.

Ramnarayan Vishwakarma & anr. ..Respondents.

...

Mr.H.S.Thakkar for the Appellant.

Mr.Manojkumar Upadhaye for Respondent No.2.

..

CORAM : DR.D.Y.CHANDRACHUD, J.

23rd December, 2005.

P.C. :

Upon condonation of delay, the Appeal from Order has been taken up for hearing by consent.

The relief which has been sought was for injunction restraining the First Respondent from

handing over possession of the suit premises to the Second Respondent and from injuncting the Second Respondent from demolishing the suit premises without due process of law. The Slum Rehabilitation Scheme has been implemented and it is common ground that the premises were in fact handed over and were demolished. In the circumstances, this Appeal does not survive and is accordingly dismissed.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.